

### REMARKS

Claims 2, 6, and 8-13 are pending.

The drawings are objected to.

Claims 2, 6, 8, and 11 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,205,567 of Maruyama ("Maruyama").

Claims 9, 10, 12, and 13 are rejected under 35 U.S.C. §103(a) as being unpatentable over Maruyama in view of the alleged knowledge in the art.

Claims 2, 6, and 8-13 have been amended within the subject matter of the application as filed.

No new matter has been added.

### Drawings

The Examiner has objected to the drawings as failing to comply with 37 CFR 1.84(p)(5).

Applicant submits formal drawings herewith.

### Rejections under 35 U.S.C. §102(e)

The Examiner has rejected claims 2, 6, 8, and 11 under 35 U.S.C. §102(e) as being anticipated by Maruyama. Applicant submits that claims 2, 6, 8, and 11 are not anticipated by Maruyama. In regard to the rejection of claim 6 (that depends from independent claim 2), the Examiner has stated in part that:

Maruyama teaches that an activation path is activated and becomes able to detect a fault at the time of detection of the fault, hence Maruyama teaches further limiting the number of faults requiring processing by said fault simulation by starting said backtraces from only observable node activation paths wherein a fault was detected...

(6/16/04, Office Action, p. 8)

Although Maruyama describes backtraces, applicants respectfully submit that claims 2, 6, 8, and 11 are not anticipated by Maruyama. Claim 2 recites the feature of *eliminating from the fault simulation any duplicate faults from the faults to be tested that are duplicate faults*. (Emphasis added) Maruyama does not disclose this feature as seen by the following analysis. Maruyama discloses a fault simulation method in which a sufficient diagnostic rate is ensured by enabling a fault in a circuit area forward of a

storage element to be handled as an object to be detected to increase the speed of fault simulation.

(Maruyama, abstract) The crux of Maruyama's method passes a fault through a storage element from the input pins to the output pins. (Maruyama, col. 5, ll. 47-50) Additionally, Maruyama detects circuit branch points in advance and searches an activation path between the circuit branch points for faults. (Maruyama, col. 5, ll. 53-65) However, Maruyama only detects faults on the activation path, and is silent on *eliminating from the fault simulation any duplicate faults from the faults to be tested that are duplicate faults*. (Claim 2, emphasis added) Because Maruyama does not disclose this feature as taught by claim 2, applicants respectfully submit that claim 2 and claim 6 that depends from claim 2 are not anticipated under 35 U.S.C. §102(e) by Maruyama.

The Examiner also rejected independent claim 8 under 35 U.S.C. §102(e) for the reason set forth in the rejection of claim 2. Claim 8 discloses substantially similar limitations as claim 2, and recites *eliminating from the fault simulation any duplicate faults from the faults to be tested that are duplicate faults*. (Emphasis added) Because, Maruyama does not disclose storing of content at cache servers as taught by applicants for the reasons discussed above with regard to claim 2, and given that claim 11 depends from claim 8, applicants respectfully submit that claims 8 and 11 are not anticipated under 35 U.S.C. §102(e) by Maruyama.

#### **Rejections Under 35 U.S.C. §103**

The Examiner has rejected claims 9, 10, 12 and 13 under 35 U.S.C. §103(a) as being unpatentable over Maruyama in view of the alleged knowledge in the art. Applicants respectfully submit that claims 9, 10, 12, and 13 are not obvious in view of the combination of Maruyama and the alleged knowledge in the art. It is respectfully submitted that it would be impermissible hindsight, based on applicant's own disclosure, to combine Maruyama and the alleged knowledge in the art. In any event, even if Maruyama and the alleged knowledge in the art were combined, such a combination would lack one or more features of the rejected claims.

The Examiner rejected independent claim 9 under 35 U.S.C. §103(a) for the reason set forth in the rejection of claim 2. Claim 9 discloses substantially similar limitations as claim 2, and recites *eliminating from the fault simulation any duplicate faults from the faults to be tested that are duplicate faults*. (Emphasis added) Because, neither Maruyama nor the alleged knowledge disclose this feature as taught by applicants for the reasons discussed above with regard to claim 2, and given that claim 12 depends from claim 9, applicants respectfully submit that claims 9 and 12 are not obvious under 35 U.S.C. §103(a) by Maruyama in view of the alleged knowledge.

The Examiner rejected independent claim 10 under 35 U.S.C. §103(a) for the reason set forth in the rejection of claim 2. Claim 10 discloses substantially similar limitations as claim 2, and recites *computer readable program code means for eliminating from the fault simulation any duplicate faults from the faults to be tested that are duplicate faults*. (Emphasis added) Because, neither Maruyama nor the alleged knowledge disclose this feature as taught by applicants for the reasons discussed above with regard to claim 2, and given that claim 13 depends from claim 10, applicants respectfully submit that claims 10 and 13 are not obvious under 35 U.S.C. §103(a) by Maruyama in view of the alleged knowledge.

### **Conclusion**

In view of the foregoing, it is believed that all claims now pending (1) are in proper form, (2) are neither obvious nor anticipated by the relied upon art of record, and (3) are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (650) 614-7400. If there are any additional charges, please charge Deposit Account No. 15-0665.

Respectfully submitted,  
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